

REMARKS

The Office Action dated July 21, 2008 has been carefully considered. Claims 1-10, 12, 13 and 19 have been amended. Claims 1-23 are in this application.

The Examiner indicated that the specification lacks antecedent basis for a limb support means as recited in claims 1 and 2. Applicant submits that the limb support means is described on page 6, lines 11-13 of the present specification. Accordingly, support for this limitation of the claims is found in the specification.

The Examiner indicated the proper language and format for the abstract of the disclosure. The abstract has been amended to conform to the proper language and format.

The claims were rejected under 35 U.S.C. § 112 as indefinite. The claims have been amended to obviate the Examiner's rejections.

With regard to claims 4 and 5, Applicant submits that the additional limb support refers to short beams 20,21 and is now described as a perpendicular limb support. Applicant submits that in claim 7, the further limb support refers to handle 53,55 and is now described as a handle limb support.

The previously presented claims were rejected under 35 U.S.C. § 103 as obvious in view of U.S. Patent No. 4,503,845 to Licciardi in view of U.S. Patent No. 5,135,459 to Perry, Jr. in view of U.S. Patent No. 4,620,702 to Mojden in view of U.S. Patent No. 5,695,436 to Huang et al. Applicant submits that none of the references teach the invention defined by the present claims.

Licciardi disclose an apparatus for supporting a user in an inverted position in which a pair of triangular bases support a vertical member. A horizontal thigh support member with pivotable pads and a horizontal foot support member are disposed between the vertical member.

In contrast to the invention defined by the present claims, Licciardi does not teach or suggest an orientation of the arm portion relative to the base portion being such that the exercise apparatus can be used in a second condition wherein the exercise apparatus has been rotated through approximately 90 degrees so that the cross bar is adjacent, in use in the second condition, the floor. Rather, Figs. 1 and 2 of Licciardi teach away from the present invention by teaching a horizontal foot support member 34 which is attached a distance from the end of

vertical members 30 and 32. Accordingly, there would be no support for the apparatus if the apparatus were to be rotated through approximately 90 degrees. As described on page 10, line 27 to page 11, line 4, the alternative orientation of the exercise apparatus of the present invention enables the user to carryout further exercises using the same exercise apparatus. There is no teaching or suggestion of this feature in Licciardi. Furthermore, as noted by the Examiner, Licciardi does not teach or suggest hand grip means and a concave limb support means.

Perry, Jr. teaches an exercise apparatus comprising a support structure and a platform mounted on the support structure to support the user's legs to allow pivoting of the user's truck about a generally horizontal axis.

In contrast to the invention defined by the present claims, Perry, Jr. does not teach or suggest an orientation of the arm portion relative to the base portion being such that the exercise apparatus can be used in a second condition wherein the exercise apparatus has been rotated through approximately 90 degrees so that the cross bar is adjacent, in use in the second condition, the floor. Rather, the exercise apparatus is designed to be supported by the support structure in the upright position. Further, there is no teaching or suggestion that the device can be used when lying under or standing over and is unrelated to the present invention. Instead, Perry, Jr. is a highly complex apparatus with many complex and movably limited parts that is still restricted in the number of exercise possibilities. In addition, Perry, Jr. does not teach a concaved limb support formed centrally on the cross bar. As described on page 6, lines 4-14, the cross bar is an elongate base curved to define a concave limb support centrally on the cross bar. In contrast, Perry, Jr. teaches a different structure of a platform that extends towards a support structure.

Mojden discloses an adjustable exercise apparatus. The apparatus includes a pair of elongated handle members being capable of being grasped by the exercising individual.

In contrast to the invention defined by the present claims, Mojden does not teach or suggest an orientation of the arm portion relative to the base portion being such that the exercise apparatus can be used in a second condition wherein the exercise apparatus has been rotated through approximately 90 degrees so that the cross bar is adjacent, in use in the second condition, the floor. In contrast, Mojden teaches base assembly 22 which is connected to a

vertical support for the handle members. Further, Mojden does not teach or suggest a concaved limb support formed centrally on the cross bar. Accordingly, Mojden does not cure the deficiencies of Licciardi or Perry, Jr. noted above.

Huang discloses an abdomen fitness apparatus including tubular handle bars secured in place by retaining bars to a connecting tube. Each of the handle bars having four retaining holes equiangularly spaced around the periphery to position the handle bars in one of the four equiangularly angular positions.

In contrast to the invention defined by the present claims, Huang does not teach or suggest an orientation of the arm portion relative to the base portion being such that the exercise apparatus can be used in a second condition wherein the exercise apparatus has been rotated through approximately 90 degrees so that the cross bar is adjacent, in use in the second condition, the floor. Further, Huang does not teach or suggest a concaved limb support formed centrally on the cross bar. Accordingly, Huang does not cure the deficiencies of Licciardi or Perry, Jr. noted above.

Accordingly, the invention defined by the present claims is not obvious in view of Licciardi in combination with Perry or further in combination with Mojden and Huang since none of the references teach or suggest an orientation of the arm portion relative to the base portion being such that the exercise apparatus can be used in a second condition wherein the exercise apparatus has been rotated through approximately 90 degrees so that the cross bar is adjacent, in use in the second condition, the floor, or a concaved limb support formed centrally on the cross bar.

In view of the foregoing, Applicant submits that all pending claims are in condition for allowance and request that all claims be allowed. The Examiner is invited to contact the undersigned should he believe that this would expedite prosecution of this application. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

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Diane Dunn McKay, Esq.
Reg. No. 34,586
Attorney for Applicant

MATHEWS, SHEPHERD, McKAY & BRUNEAU, P.A.
29 Thanet Road, Suite 201
Princeton, NJ 08540
Tel: 609 924 8555
Fax: 609 924 3036